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MEMO ENDORSED

Via ECF

December 1, 2020

The Honorable Edgardo Ramos
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: Motion for Leave to File Amicus Brief in *In re Ex Parte*
Application of Eurasian Natural Resources Corporation Limited
Pursuant to 28 U.S.C. § 1782 for Leave to Take Discovery for Use
in Foreign Proceedings, No. 1:20-mc-00312-ER (S.D.N.Y. 2020).

Dear Judge Ramos:

I write on behalf of non-party the Reporters Committee for Freedom of the Press (the "Reporters Committee"), which seeks leave to file a brief as amicus curiae in support of Respondent HarperCollins Publishers LLC. Pursuant to Rule 2.A.ii of this Court's Individual Practices, we respectfully request a pre-motion conference regarding an anticipated motion by the Reporters Committee for leave to file or, in the alternative, permission to file the brief attached to this letter. Both parties have consented to this filing.

"It is well-established that a district court has broad discretion to grant or deny an appearance as amicus curiae in a given case." *Picard v. Greiff*, 797 F. Supp. 2d 451, 452 (S.D.N.Y. 2011). The accompanying brief seeks to explain why discovery under Section 1782 should not be permitted when it would undermine the reporter's privilege, and courts in this district have previously found the submissions of the Reporters Committee helpful in this context. See *In re Application of Shervin Pishevar for an Order to Take Discovery for Use in Foreign Proceedings Pursuant to 28 U.S.C. § 1782*, 439 F. Supp. 3d 290, 306 (S.D.N.Y. 2020). Accordingly, we respectfully request that the Court grant the request for a pre-motion conference or leave to file.

Dated: December 1, 2020

Respectfully submitted,

The Court grants the Reporters Committee for Freedom of the Press leave to file an amicus brief and accepts the amicus brief it simultaneously filed.

It is SO ORDERED.


Edgardo Ramos, U.S.D.J.

Dated: 12/1/2020
New York, New York

/s/ Katie Townsend

Katie Townsend

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